

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LEON STRAYHORN,

Plaintiff, No. 11-15216

v.

District Judge Patrick J. Duggan
Magistrate Judge R. Steven Whalen

PATRICIA CARUSO, ET AL.,

Defendants.

/

ORDER GRANTING MOTION FOR CLARIFICATION [Doc. #106]

Defendant Corizon Health, Inc. (“Corizon”) has filed a motion for clarification [Doc. #106] of my omnibus discovery order filed on July 24, 2013 [Doc. #105]. Corizon is apparently confused as to what it is to produce and what it is not required to produce. I will therefore GRANT the motion to clarify, as follows.

As I indicated at pages 2-3 of my July 24th order, the discovery requests at issue are “limited to the interrogatories and requests for production propounded the Prison Health Service (“PHS”) Defendants, which those Defendants have submitted with their response to Plaintiff’s motion [Dkt. #97].” Of those specific requests, Request #3 and Request #11 need not be produced. If Corizon (formerly Prison Health Services) has already produced other discovery covered by my July 24th order, it goes without saying that it does not have to be produced a second time.

Finally, my July 24th order directed a response to Plaintiff’s Request #4, which asked for a copy of the employee contract between Dr. Khan and PHS/Corizon. The Plaintiff’s request specifically stated, “Sensitive information such as hourly pay rate (but

not any incentive or bonus payments), personal address, or tax information may be redacted." In other words, Plaintiff's request is directed at the issue of incentive or bonus payments. However, in answers to interrogatories, Defendant Corizon has denied that there is or ever was an incentive or bonus plan with regard to its medical employees. If that is the case, there would be nothing discoverable in Dr. Khan's contract with PHS/Corizon. Therefore, Defendant Corizon is not required to produce Dr. Khan's contract with PHS/Corizon.

In all other respects, my order of July 24, 2013 remains the same.

IT IS SO ORDERED.

August 8, 2013

s/ R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on August 8, 2013, electronically and/or by U.S. mail.

s/Michael Williams
Case Manager for the
Honorable R. Steven Whalen